United Nations S/2007/671

Security Council

Distr.: General
14 November 2007

Original: English

Twenty-fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1756 (2007) of 15 May 2007, by which the Council extended the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 31 December 2007 and requested me to submit to the Council by 15 November 2007 a report containing benchmarks and an indicative timetable for the gradual drawdown of MONUC. The report reviews the major political and security developments in the Democratic Republic of the Congo from 20 March to 31 October 2007 and outlines a concept of operations for implementing the mandate set out in resolution 1756 (2007). It also provides broad benchmarks and recommendations regarding the future direction of MONUC.

II. Political developments

2. Since my report of 20 March 2007 (S/2007/156), the Democratic Republic of the Congo has experienced two major security crises, both of which engendered major violations of human rights. In March, intense fighting in Kinshasa between Government forces and personal security elements of former Vice-President Jean-Pierre Bemba resulted in several hundred deaths and extensive property damage. Since August, the failure of dissident former general Laurent Nkunda to send his troops to *brassage* has led to renewed fighting and the displacement of more than 150,000 people in North Kivu alone. Despite these difficulties, historic first steps have been made towards the establishment of democratic institutions and the extension of State authority throughout the country.

3. The newly installed Government continued its work, convening regular meetings of the Council of Ministers during which a number of decrees, regulations and draft laws were approved. The draft laws conveyed by the Council of Ministers to the National Assembly have included the draft laws on decentralization and on establishment of the new Independent National Electoral Commission. The two chambers of Parliament have each begun their second regular session and completed two one-month extraordinary sessions. In the first session of its five-year term, the Parliament has begun to exercise its oversight function through investigative

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commissions, convocations of ministers and vigorous debates on pressing issues such as the security situation in the Kivus, the violence in early 2007 in Bas-Congo and the Kahemba border dispute with Angola.

4. Significant harassment of opposition figures was evident following the violence in Bas-Congo and Kinshasa. However, a working coexistence has emerged in Parliament between governing and opposition political camps, particularly the *Alliance pour la majorité présidentielle* (AMP) and the *Mouvement de libération du Congo* (MLC). In this connection, the opposition is proportionately represented in all National Assembly commissions, including in leadership positions.

5. Parliament has adopted two laws, namely the law for provisional credits and the 2007 budget law, and voted in favour of the ratification of five treaties, including the Pact on Security, Stability and Development in the Great Lakes Region. Discussions are at an advanced stage on important legislation such as the law on the status of the opposition and the law on the financing of political parties. More than 30 items are on the agenda of the current parliamentary session, including the 2008 budget, laws on decentralization and local elections and reform packages for the justice sector.

6. The progress of the 10 provincial assemblies has been slowed by logistical and financial difficulties. However, most assemblies reconvened on 15 September, programmes of work have been adopted in all provinces and budgets have been adopted in all except Kasai Oriental. On 20 May, the Presidents of 10 of the 11 provincial assemblies jointly adopted the Matadi Declaration, underscoring the constitutional autonomy of the provinces and contesting the Government's attempts at continued direct administrative and financial control in the provinces. Specifically, the provincial assemblies requested immediate application of article 175 of the Constitution regarding retention at provincial level of 40 per cent of the revenues generated there. A mixed commission of national and provincial executives and legislators subsequently agreed to postpone implementation of this measure until January 2008, to allow time to devise the necessary regulatory and administrative frameworks.

7. With assistance from the United Nations Development Programme (UNDP), the Ministry of the Interior, Decentralization and Homeland Security has been conducting broad public consultations on the decentralization process. From 3 to 5 October, some 300 national and provincial officials from the executive and legislative branches, representatives of civil society and international partners participated in a national forum on decentralization. The forum's recommendations were transmitted for consideration by the National Assembly as it deliberates on the draft decentralization law.

8. Serious financial constraints complicate the attempts of the Democratic Republic of the Congo to establish and foster the development of democratic institutions and ensure future stability and peace. Non-existent or barely functioning State institutions and decaying infrastructure, along with a lack of resources, continue to hamper the Government's efforts to extend basic services and to address the urgent needs of the population. The Government is making progress towards meeting the targets under the International Monetary Fund's staff-monitored programme. However, it continues to face budgetary challenges, including a significant accumulation of undisbursed funds, which inhibit its ability to launch major initiatives or meet salaries and other operating expenses.

9. To support implementation of its 2007-2011 programme and the governance contract (see S/2007/156, para. 9), the Government elaborated with international donors in June the Priority Action Programme. The Programme considered a step towards a mutually accountable partnership between the international community and the Government, includes a set of high-priority reforms and initiatives to be implemented over an 18-month period. Ensuring sufficient funding for these activities remains a high priority, particularly in the light of the possibility of the World Bank reclassifying the Democratic Republic of the Congo from its present "post-conflict" status, which brings significant financial allocations, to that of a regular recipient of support from the International Development Association basket. Concerned that funding gaps are a major factor inhibiting growth, the Government has secured financial support from new partners, particularly in the transport and infrastructure sectors. As these new partnerships are forged, it will be vital for the Democratic Republic of the Congo and the international community to maintain a shared vision of the priorities for reform, including debt sustainability and good governance.

10. In the absence of effective communication with the public regarding its intentions and the constraints it faces in achieving its programme, the Government of Prime Minister Antoine Gizenga faces increasing criticism from political and civil society actors. Members of the pro-Government AMP have occasionally voted against Government-backed programmes and policies such as the 2007 budget. The Prime Minister and key ministers have also been threatened with no-confidence motions.

III. Security environment

11. With the exception of the eastern part of the country, most of the Democratic Republic of the Congo remained largely stable during the period under review. The continued presence in the east of local and foreign armed groups and of militia members and other combatants not integrated into the Armed Forces of the Democratic Republic of the Congo (FARDC) remains a significant source of insecurity. Undisciplined and under-supported FARDC troops remain a threat to the security of the population, as do demobilized former combatants who have yet to be reintegrated.

A. North Kivu

12. Since March, the security situation in North Kivu has deteriorated sharply as clashes have increased between armed elements loyal to renegade commander Laurent Nkunda and FARDC troops, Mayi-Mayi groups and other armed militias including the Democratic Forces for the Liberation of Rwanda (FDLR). The clashes reflect the failure of "mixing", by which pro-Nkunda and Government elements were brought under nominal FARDC command in North Kivu without being fully integrated into the armed forces. In the face of rising tensions, provincial and local leaders demonstrated a commitment to reconciliation. Mr. Nkunda, however, claiming to protect the Tutsi minority and taking unilateral action against FDLR, intensified his interference in the chain of command over mixed brigades. He also

continued to recruit and maintain a separate militia, estimated at 5,000 fighters, and to set up a parallel civil administration, including police, in areas under his control.

13. On 11 May, the Government declared an end to "mixing" and called for the *brassage* of all mixed brigades, while deploying additional FARDC forces to North Kivu in order to free the mixed brigades for *brassage*. The mixed brigades began to disintegrate and on 27 August the dissident elements initiated attacks against Government forces.

14. During the subsequent fighting, MONUC concentrated on the protection of civilians by deploying additional mobile operation bases and patrols; providing logistical and medical assistance to FARDC; blocking access by Nkunda's forces to major population centres, including Goma and Sake; and protecting concentrations of minorities and internally displaced persons. On 6 September, following the initial disintegration of the FARDC 15th Integrated Brigade in the face of Nkunda's advancing troops at Sake, intervention by MONUC halted the dissidents' further advance into the town. MONUC then facilitated a local cessation of hostilities. However, heavy fighting resumed on 8 October when Nkunda repudiated the informal ceasefire brokered by MONUC. Skirmishes have continued, with FARDC troops improving their positions. The ongoing build-up of Government troops and supplies in North Kivu has led to the subsequent encirclement of Nkunda's forces and a significant reduction of areas under his control.

15. In view of the spontaneous surrender of a number of Nkunda loyalists, the Government extended until 15 October the deadline announced earlier in the month for Nkunda's troops to enter *brassage*. In remarks to the press, President Joseph Kabila reiterated his determination to use force if necessary to ensure the restoration of State authority. He emphasized the Government's commitment to protect the Tutsi and all other Congolese communities, stating that it was the sole responsibility of a national and unified Congolese army. He added that Mayi-Mayi and other militias were also required to enter *brassage*, and that his Government had presented a plan to Rwanda and MONUC for a definitive solution to the problem of FDLR.

16. The tactical redeployment of FARDC forces in North Kivu in the course of its operations against Nkunda have often created security vacuums exploited by FDLR, in alliance with the Resistance Patriots-Mayi-Mayi and the *Front pour la libération du Nord-Kivu* (FLNK). FDLR and affiliated groups have attacked Nkunda's forces, further complicating the situation and forcing the displacement of thousands of civilians. Clashes on 20 October at Bunagana between elements under the command of Mayi-Mayi leader Kasereka Kabamba and Nkunda's forces resulted in the flight of an estimated 10,000 refugees into Uganda. In the wake of these developments, President Kabila called on Kasereka Kabamba to voluntarily disarm in 72 hours or face military action. On 27 October, in an operation jointly planned with MONUC, FARDC troops surrounded Kasereka Kabamba, resulting in his surrender.

17. In addition to precipitating a humanitarian crisis, the fighting in North Kivu has raised serious human rights concerns. On 8 September, MONUC confirmed reports of 12 mass graves near Sake in locations previously held by Nkunda-led forces. A joint investigation with Congolese judicial authorities confirmed that the graves contained the remains of at least 21 victims, six with hands tied behind the back. There is also continuing evidence of the recruitment of children by armed groups, including an attempt on 15 October by Nkunda-led forces to forcibly recruit

some 210 students from a school near Bunagana. The students escaped to Rutshuru, where they are being protected by MONUC.

18. Despite the ongoing conflict, provincial institutions are being established in North Kivu. Governor Julien Paluku has established a provincial reconciliation cell and the province's inter-ethnic committee and various political and civil society actors have undertaken local initiatives to promote dialogue. The Government has also announced its intention to hold a widely inclusive conference on the Kivus in order to establish a broad and definitive consensus for peace and reconciliation, but no date has yet been set for the conference.

B. South Kivu

19. In South Kivu, the Government, with MONUC support, has intensified military operations against remaining armed groups. This has resulted in a sharp reduction in violent incidents, an upswing in economic activity, increased stability and improved humanitarian access. MONUC and FARDC have established mobile operation bases in the Kabare and Walungu areas and have intensified cordon and search operations against the "Rastas" in the Ninja and Mugaba forests. The armed group retaliated, attacking three villages on 26 May, killing 18 civilians, injuring 27 and abducting 18. A MONUC patrol later prevented the perpetrators from staging another attack. Several subsequent attacks have been interdicted.

20. In July, the FARDC encircled a number of Banyamulenge dissident militia members in the Moyens Plateaux region. Leaders Michel Rukunda (Moramvia Group) and Colonel Bisogo (Group of 47) refused *brassage*, escaping with about 200 of their fighters towards the Itombwe forest. They continue to ambush FARDC forces. On 14 September the militia leader Captain Yakutumba, a staunch opponent of the Banyamulenge, surrendered to the Government after a combination of military pressure and the inducement into *brassage* of 250 of his fighters. Despite some improvement in the security situation, numerous members of FDLR and smaller armed groups remain in South Kivu and are a source of continuing concern.

C. Ituri

21. While ethnic tensions continue over land use, the security situation in Ituri has improved. On 7 April, the Front nationaliste et intégrationniste (FNI) militia leader Peter Karim and some of his associates came forward for integration into the FARDC in response to Government outreach combined with FARDC and MONUC military pressure. A subsequent agreement on 1 June, incorporating the remaining Forces de résistance patriotique d'Ituri (FRPI) and Mouvement révolutionnaire congolais (MRC) militia groups, led to the launching on 5 August of a special disarmament, demobilization and reintegration programme for the remaining fighters in Ituri district. While the militia groups had listed some 4,665 names for the programme, that figure was believed to be inflated. By the end of the programme, some 1,851 combatants had disarmed. Demobilized fighters are to enter special UNDP-arranged labour-intensive community reinsertion work programmes. The remaining elements of FNI and FRPI, now fracturing into smaller groups, will be subject to pressure, from FARDC, supported by MONUC, to submit to disarmament. On 30 October Peter Karim and Cobra Matata, leader of FNI, arrived

in Bunia. They are expected to be dispatched along with Matthieu Ngudjolo, the leader of MRC, for FARDC training outside Ituri district.

D. Katanga and Maniema

22. The situation in parts of Maniema and Katanga provinces, where both MONUC and FARDC are thinly deployed, requires continued vigilance. On 6 July, an estimated 400 Mayi-Mayi surrounded the residence of the territorial administrator in Punia, Maniema Province, voicing anger over long-awaited disarmament, demobilization and reintegration entitlements. On 1 August, a violent protest against the United Nations in connection with the return of Banyamulenge refugees to Moba, in north-eastern Katanga, necessitated the evacuation of all United Nations civilian staff and associated personnel. In Maniema, the birthplace of several Mayi-Mayi movements, as well as in northern and central Katanga, thousands of combatants are still not included under any disarmament, demobilization and reintegration programme. The absence of an effective disarmament, demobilization and reintegration process presents security risks for the population and for United Nations and humanitarian personnel, particularly in remote areas where State authority is limited and access remains difficult.

E. Kinshasa

23. In Kinshasa, a stand-off in March between FARDC and about 300 personal security guards of Senator and former Vice-President Jean-Pierre Bemba triggered two days of intense conflict which resulted in the deaths of at least 300 people, including a significant number of civilians, and considerable property damage, including to some embassies and a United Nations office. Although Senator Bemba was formally charged by the Government with high treason, he and his immediate family were permitted to leave the country on 11 April to seek medical treatment under a leave of absence granted by the Senate. Security forces arrested over 200 people during and after the fighting, in many cases without following legal procedure. The security forces continued to harass opposition politicians and their supporters and ransacked the headquarters of Senator Bemba's MLC party as well as his radio and television stations. Senator Bemba has not yet returned to the country, reportedly owing to his own security concerns and the legal charges against him.

IV. Regional developments

24. On 3 August, following the alleged incursion into Congolese waters of a Ugandan oil exploration barge on Lake Albert, an armed exchange between FARDC and Ugandan forces resulted in the deaths of a FARDC soldier and a British citizen working for the oil company. On 24 September, in an unrelated incident, Ugandan forces fired on a passenger barge on Lake Albert which was carrying 42 Congolese civilians and two FARDC members. That incident led to the death of six civilians and the injury of a further nine, including one FARDC member. On 9 October, following talks on delineating the border, the two countries agreed to establish joint commissions on military, security and economic issues. Another joint commission is intended to monitor oil-related activities along the border.

25. During the reporting period Burundi, the Democratic Republic of the Congo, Rwanda and Uganda demonstrated intent to enhance regional collaboration. This has been reflected in a series of meetings of the Tripartite Plus Joint Commission and a number of bilateral meetings between Heads of State, ministers and chiefs of defence, as well as in the work of the subregional and regional groups established by the Pact on Security, Stability and Development in the Great Lakes Region. On 17 April the subregional Economic Community of the Great Lakes Countries was reactivated, and both chambers of Parliament have adopted the Great Lakes Pact, which is pending final action by the Presidency.

26. On 30 July, President Kabila and President José Eduardo dos Santos of Angola signed an agreement on the joint exploration and exploitation of petroleum located in the maritime waters between the two countries. On 22 September, the National Assembly voted by a strong majority to endorse the agreement.

27. On 2 September, the foreign ministers of the Democratic Republic of the Congo and Rwanda discussed in Kinshasa ongoing tensions in North Kivu and the continued presence of FDLR in both provinces. They agreed to reactivate a joint verification mechanism, decided that the African Union and MONUC should be asked to support a secretariat in Goma, and requested that MONUC intensify border surveillance. A joint verification team meeting scheduled for 15 October did not, however, occur as Rwanda recalled its delegation.

28. On 8 September, at a meeting in the United Republic of Tanzania, the Presidents of the Democratic Republic of the Congo and Uganda agreed to withdraw troops from their common border and to strengthen bilateral cooperation in a number of areas, including exploitation of natural resources in and around Lake Albert, and to eliminate negative forces operating from their territories. The two countries' military chiefs of staff have also held bilateral discussions.

29. During the reporting period, the Tripartite Plus Joint Commission met four times under the facilitation of the United States of America, with MONUC attending as an observer. On 18 April, the group reached agreement on joint action to address the root causes of conflict in the Great Lakes region. On 28 August, a meeting of chiefs of defence discussed strategies to deal with FDLR. These were subsequently reviewed, along with directives for follow-up, at a ministerial meeting in Kampala on 17 September. The chiefs of defence also decided that the Government of the Democratic Republic of the Congo should prepare a detailed operational plan for possible military operations against FDLR, to be conducted jointly with MONUC and possibly with additional support from other countries. The Government pledged to submit such a plan at the next tripartite ministerial meeting in January 2008.

30. A newly established joint planning cell met in Kisangani on 20 September 2007; and the reconstituted joint verification mechanism between the Democratic Republic of the Congo and Rwanda met at vice-ministerial level in Goma on 21 September. At a meeting on 1 October, Tripartite Plus chiefs of defence endorsed the structure, organization and operating procedures of the joint planning cell and discussed joint verification mechanisms and other procedures for the management of cross-border incidents.

V. Security sector reform

31. During the reporting period, important steps were taken towards security sector reform. In July, at the first Contact Group meeting under its leadership, the Government focused on defence sector reform, setting a tight initial deadline for headquarters restructuring and the formation of a rapid reaction force to gradually replace MONUC within two years. An outline concept for the longer-term development of additional military, air and naval forces was also discussed. The Contact Group endorsed the holding of a round table to consider a road map for the reform of all three sectors (defence, police and judiciary) and associated international support. The meeting was initially planned for early October, but has since been postponed.

32. With respect to the military sector, MONUC and other international experts are participating at the request of the Ministry of Defence in subcommissions on global management, force management, human resources, administration and relations between the armed forces and the nation. These subcommissions will identify specific programmes for which multilateral or bilateral support may be proposed at the round table.

33. On 2 July, MONUC commenced its short-term training programme for 33 battalions (11 brigades) as mandated by Security Council resolution 1756 (2007). The three-month programme focuses on discipline and conduct, as well as on enhancing operational capacity and cohesion. Human rights, child protection, international humanitarian law and the prevention of sexual and gender-based violence are also included in the training course. A total of 3,750 FARDC troops have completed the first training series, including 1,500 who participated in the pilot programme and 2,250 in the first session. Two additional MONUC training task forces are being deployed in order to accelerate the programme and complete the training by September 2009.

34. Some 60,000 Congolese National Police members, including 2,345 women, have received limited training. Police training has declined during the reporting period owing to a shortage of donor funds. With regard to overall police reform, Prime Minister Gizenga has signed a decree creating the Committee on the Reform of the Congolese National Police. An inter-ministerial commission has also begun drafting an organic law on the organization of the National Police.

35. The Ministries of Defence and Justice have begun initiatives to address impunity for violent crimes and corruption, pending longer-term reforms. MONUC is conducting training for military magistrates and lawyers and is providing advice on the reform of military justice codes. MONUC is also supporting ministries in the elaboration of strategies for strengthening civilian and military justice and the penal system. This includes assistance to the Ministry of Justice for the development of a strategic framework for justice reform, a strategic development plan for the prison system and prison legislation. These strategies are expected to be integrated into an overall security sector reform programme for discussion at the forthcoming round table.

VI. Disarmament, demobilization and reintegration

36. The disarmament, demobilization and reintegration of Congolese combatants belonging to various armed groups, and a definitive solution to the presence on Congolese soil of foreign combatants including those of FDLR, the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU) and the Lord's Resistance Army, will be key to establishing a stable security environment, leading to the gradual drawdown and departure of MONUC. To date, the national disarmament, demobilization and reintegration programme has processed 165,687 former combatants. Of these, 62,929 have been integrated into FARDC while 102,758 have been demobilized and are receiving financial entitlements. About 15,300 of an estimated 18,500 foreign fighters, primarily from FDLR, have been repatriated.

37. Despite the considerable progress made, major challenges remain. Only 54,697 of the Congolese former combatants who have entered the disarmament, demobilization and reintegration programme are targeted by longer-term reintegration projects. Those excluded from these projects are a source of frequently violent unrest throughout the country. In addition, approximately 78,096 eligible Congolese combatants have yet to enter the national disarmament, demobilization and reintegration programme. An additional 19,400 combatants, consisting of Mayi-Mayi and other elements not signatory to the 2002 Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, are outside the purview of the national programme.

VII. Humanitarian situation

38. The overall humanitarian situation has improved in many provinces, with more than one million internally displaced persons having returned to their homes since the beginning of 2006. However, the situation in the eastern part of the country, particularly in the Kivus, remains of serious concern. The total number of internally displaced persons in the Democratic Republic of the Congo now stands at 1.2 million, with the large majority located in North and South Kivu. An estimated 371,550 people have been displaced in North Kivu alone between December 2006 and October 2007. Fighting in North Kivu has also resulted in refugee movements from the Democratic Republic of the Congo into Uganda. The capacity of the humanitarian community in the region is overstretched. Only 56 per cent of the $686 million requested through the 2007 Humanitarian Action Plan has been received and resources have been mobilized through the Central Emergency Response Fund. Humanitarian access is often hampered by poor security conditions and infrastructure, as well as armed groups and national security forces.

VIII. Human rights and child protection

39. The human rights situation, including impunity within the security services, remains a cause for grave concern. Reported cases of arbitrary execution, rape, torture and cruel, inhumane and degrading treatment by FARDC and the Congolese National Police are growing. Military and civilian intelligence services, the Special Services Branch of the National Police in Kinshasa and the Republican Guard have

also been implicated in politically motivated crimes, including intimidation of opposition members, journalists and human rights activists. During the reporting period, particularly egregious offences, including summary executions and the recruitment of child soldiers, have been committed in North Kivu by Nkunda's dissident forces.

40. Rape and other forms of sexual violence remain prevalent, with few perpetrators reaching the justice system. Many of those accused are released on bail with no subsequent appearance. Convicted offenders often receive very light sentences and on occasion are permitted to escape from detention. Police and military commanders, as well as local authorities, continue to encourage families of rape victims to settle out of court.

41. On 18 October, the Government handed over Germain Katanga to the International Criminal Court. Katanga has been indicted on three charges of crimes against humanity and six charges of war crimes. Thirteen FARDC officers who were responsible for executions, rape and systematic looting in Ituri between August and November 2006 were sentenced to life imprisonment. Otherwise, there has been very little progress in combating impunity. None of the serious incidents committed in Bas-Congo or during the events in Kinshasa are being thoroughly investigated or brought to trial. The administration of civil and military justice remains prone to corruption and is significantly lacking in resources. Political and military authorities continue to interfere in high-profile cases, including the verdicts pronounced in the trial of suspects for the murder of Radio Okapi journalist Serge Maheshe.

42. During her visit in May, the United Nations High Commissioner for Human Rights, Louise Arbour, encouraged the Government to establish a vetting process to ensure that human rights violators are excluded from State institutions including the security services. With the endorsement of President Kabila, the High Commissioner also launched a mapping exercise of serious human rights violations committed in the country between 1993 and 2003. The results of this survey are intended to assist the Government in developing a transitional justice strategy for the country. The Office of the United Nations High Commissioner for Human Rights (OHCHR), UNDP and MONUC are in the process of raising the necessary funds and completing other preparations for the mapping exercise.

43. Sexual and gender-based violence remains endemic throughout the Democratic Republic of the Congo, with security services among the worst offenders. All MONUC training for FARDC soldiers therefore addresses the causes and consequences of sexual violence and includes an introduction to international human rights law including women's rights. MONUC is also promoting awareness among military magistrates of the laws on sexual violence, adopted and promulgated in 2006 but seldom applied. MONUC is working with donors and the Ministries of Defence and Justice to implement a one-year, countrywide dissemination and training programme to promote the application of the new laws.

44. In May, MONUC and the European Commission launched a project to build up civil society capacity for the protection of human rights defenders, victims and witnesses. The Government has drafted a new child protection law for submission to the current session of the National Assembly, and MONUC has launched a six-month campaign to reinforce the role of the National Police in child protection.

IX. Local elections

45. As I reported previously, Prime Minister Gizenga wrote to me on 1 March requesting United Nations technical and logistical assistance for the envisaged local elections in the Democratic Republic of the Congo. The Prime Minister also requested that the United Nations coordinate all international assistance to the elections. By resolution 1756 (2007), the Security Council acknowledged the importance of these elections as a milestone for the longer-term restoration of peace and stability, national reconciliation and establishment of the rule of law in the country. The Council authorized MONUC to provide preliminary assistance to the Congolese authorities in the organization, preparation and conduct of local elections, including the provision of advice, technical assistance and logistical support. Local elections are the last and crucial part of the electoral cycle envisaged by the 2002 All-Inclusive Agreement.

46. After considering the option of holding local elections a few provinces at a time over a period of several months, the Government has opted for simultaneous countrywide direct elections on a single day in the second half of 2008. In order to establish the required framework to meet this schedule, the Organic Law on the Independent National Electoral Commission was adopted by the Council of Ministers and transmitted on 12 June to the National Assembly. On 27 August the Supreme Court reaffirmed the continued exercise by the transition-period elections commission (the Independent Electoral Commission) of its role and authority until the new commission is in place. In addition, the draft law on decentralization currently before the National Assembly will, inter alia, confirm the territorial boundaries of the electoral districts.

47. On 15 October, a joint delegation from the Ministry of the Interior, the Independent Electoral Commission, UNDP and MONUC began a series of visits to provincial capitals to inform local authorities and electoral officials of preparations for the 2008 elections. In view of the poor representation of women following last year's elections, MONUC and United Nations partners are taking steps to improve voter education and electoral outreach to women. A draft law on gender parity, now under consideration by the Council of Ministers, also offers prospects for improved results for women in the local elections.

48. The local elections will involve approximately the same number of voters and polling stations as the national elections, but will be considerably more complex. Some 200,000 candidates are expected to compete in more than 6,000 constituencies, as compared to 13,000 candidates in 169 constituencies in the national elections. To address this challenge, the Independent Electoral Commission will need to expand considerably its field structure. In that regard, the Government has promised to increase funding for the Commission. Its planning capability is also being enhanced by continued assistance from MONUC and the initiation, on 1 May, of a five-year UNDP institutional capacity-building project.

49. Given the size of the country and the lack of surface transport, the Government and electoral authorities will require substantial support from MONUC, particularly in the form of logistical assistance and technical advice on a scale similar to that provided during the national elections. The requested support includes air transportation of electoral materials from Kinshasa and 15 hubs to some 210 sites across the country, as no other national entity is capable of carrying out this task.

50. The budget for the local elections, excluding the additional MONUC support and electoral security, is currently estimated at $117.8 million. The Government has agreed to defray the cost of electoral personnel and the operating costs of the Independent Electoral Commission. Donors are being requested to provide some $92.4 million to cover all other costs. The current cost estimate of additional MONUC support is between $80 million and $100 million. As I indicated in my letter to the President of the Security Council dated 11 October, early authorization by the Council of full MONUC support, on the same scale as for the national elections, is essential in order to facilitate important decisions by the Congolese authorities and donors and to allow sufficient lead time for the Mission's preparations.

X. Conduct and discipline

51. My Special Representative for the Democratic Republic of the Congo continues to give high priority to the prevention of sexual exploitation and abuse, as well as other types of misconduct by MONUC personnel, through strong preventive measures. During the first half of 2007, nearly 10,000 Mission personnel received training, including a new programme tailored specifically to international and locally recruited civilian staff. Seven assessment missions were conducted in the various parts of the Democratic Republic of the Congo where MONUC personnel are deployed, and monthly, quarterly and biannual analyses were prepared of all cases.

52. During the reporting period, the Mission has recommended the repatriation on disciplinary grounds of 11 members of the military and police components as a consequence of substantiated allegations of sexual exploitation and abuse, or related contraventions of preventive measures. Since the establishment of the Office for Addressing Sexual Exploitation and Abuse in early 2005, a total of 52 repatriations on disciplinary grounds have been recommended.

XI. Future direction of the Mission

53. MONUC, in close consultation with the United Nations country team, has developed a concept of operations for implementing its mandate under resolution 1756 (2007), including benchmarks and an indicative timeline for the gradual drawdown of the Mission. To assist the Mission in its strategic planning, a DPKO-led technical assessment mission comprising representatives of the Department of Field Support, the Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights, the Department of Safety and Security and UNDP, visited the Democratic Republic of the Congo from 9 to 20 July. The mission consulted with the MONUC leadership and with senior Congolese officials including the Presidents of the Senate and National Assembly, leaders of parliamentary groups, the Minister of Defence and the President of the Independent Electoral Commission, and with representatives of Congolese civil society. The mission also met with representatives of the diplomatic community in Kinshasa; the European Union Mission of Assistance for Security Sector Reform (EUSEC), the European Union Police Mission (EUPOL) and the European Commission; the

United Nations country team; the International Committee of the Red Cross and international humanitarian non-governmental organizations. Members of the mission visited MONUC field offices and contingents in Kisangani and Bukavu. A separate mission to assess the MONUC communications and public information programme was conducted by the Department of Public Information in August. The conclusions and recommendations of these assessment missions are reflected in the present report.

54. Based on its current mandate, MONUC will concentrate its efforts in Ituri, the Kivus and northern Katanga, where it will continue to focus on protection of the civilian population and humanitarian activities. It will also support FARDC in developing and conducting operations aimed at stabilizing these areas and dismantling illegal armed groups, enabling the Congolese army and police to assume as soon as possible their full responsibility for security and the protection of the population, and assisting the Government to re-establish its authority in the area. MONUC, within its mandate and capabilities, and as requested by the Government of the Democratic Republic of the Congo, will also support regional stabilization and confidence-building initiatives, such as joint verification mechanisms or increased border patrols agreed bilaterally or through multilateral discussions.

55. MONUC will continue to advise and assist the Government and the Independent Electoral Commission in preparing for local elections. In addition, the Mission's military and police components will stand ready to support the Congolese authorities, as may be required, in establishing a secure and peaceful environment for the elections. The Mission will also provide additional electoral advisers and direct logistical assistance for the actual conduct of the local elections, to the extent authorized by the Security Council and subject to the availability of the necessary supplementary resources.

56. While focusing on security in the eastern part of the country, MONUC will deploy police and civilian personnel in all provinces in order to develop the capacities of the Congolese National Police and related law enforcement agencies; to support the strengthening of democratic institutions and the rule of law; and to investigate human rights violations with a view to helping put an end to impunity. MONUC will also provide advice for strengthening the capacity of the judicial and correctional systems with an emphasis on the military justice system. Planning will begin for the handover to the United Nations country team and other partners of longer-term capacity-building activities, particularly for the police and judiciary, which cannot be completed within the anticipated lifespan of the Mission. In this context, MONUC will serve as a catalyst and facilitator, with a view to encouraging the engagement of other international partners to support long-term efforts in fields such as security sector reform.

57. The public information component of MONUC will continue to adapt and implement a communications strategy to complement other actions by the Mission and its partners to deal with the situation in the Kivus. The Mission's overall public information and communications plan will also focus on helping to prepare the population for the local elections. It will explore possibilities for helping Government institutions and Parliament to build capacity for communications and for assisting in the development and rationalization of local media. Through the Mission's partnership with the Fondation Hirondelle, Radio Okapi will remain a key element of the MONUC public information effort.

XII. Benchmarks and drawdown

58. In line with the Security Council's request for benchmarks and an indicative timetable for the gradual withdrawal of the Mission, the technical assessment mission sought the views of its Congolese and international interlocutors and the United Nations country team. The consultations revealed a consensus that any plan for the Mission's downsizing and eventual withdrawal should be based on several key preconditions: (a) that Congolese and foreign armed groups would be disarmed and demobilized or repatriated to the extent that they no longer posed a significant threat to peace and stability in the Democratic Republic of the Congo or to neighbouring countries, particularly in the east; (b) that FARDC and the Congolese National Police would achieve levels of capacity which would enable them to assume responsibility for the country's security, including duties now performed by MONUC; and (c) that MONUC would remain deployed at its current strength at least through local elections. Further to these operational preconditions, benchmarks were identified for measuring the country's progress towards two overarching objectives reflecting the central priorities in resolution 1756 (2007), namely (a) the establishment of an overall stable security environment and (b) the consolidation of democratic institutions.

59. With regard to the establishment of a stable security environment, progress towards the overall objective would be measured by the achievement of broad benchmarks such as (a) stabilization of sensitive areas, particularly in the east; (b) completion of the disarmament and demobilization of former combatants and the disarmament and/or repatriation of foreign armed groups; (c) extension of State authority throughout the territory of the Democratic Republic of the Congo; and (d) security sector reform, comprising creation of national armed forces respectful of human rights and the rule of law with the operational capacity to defend the constitutional institutions and the people of the Democratic Republic of the Congo; development of a unified national police entrusted with public security and capable of protecting the people and their property while maintaining law and order and respect for human rights; and the establishment of an independent, functioning judicial system.

60. With respect to the consolidation of democratic institutions, the following broad benchmarks were identified: (a) adoption of essential legislation and establishment of essential State institutions at the national, provincial and local level, and progress made towards decentralization; and (b) successful conduct of credible local elections.

61. MONUC, in consultation with the Government and other stakeholders, would further develop these broad benchmarks and prepare a matrix setting out measurable indicators, to the extent possible, to be included in my next report to the Security Council. It should be emphasized that, given the magnitude of the challenges facing the Democratic Republic of the Congo, achievement of these broad benchmarks, as well as of certain specific indicators, is beyond the capacity and mandate of MONUC alone. The overarching benchmarks themselves are unlikely to be achieved during the life of the Mission. Progress will require sustained support from many actors, including the Government and its bilateral partners, the neighbouring States and the wider international community. Should the Security Council endorse these broad benchmarks for the Democratic Republic of the Congo, I intend to include in

future reports to the Council an evaluation of the progress achieved and the indicators used to measure such progress.

XIII. Financial aspects

62. The General Assembly, by its resolution 61/281 of 29 June 2007, appropriated $1,112,739,500, equivalent to $92,728,292 per month, for MONUC for the period from 1 July 2007 to 30 June 2008. Should the Security Council decide to extend the mandate of MONUC beyond 31 December 2007, the cost of maintaining the Mission until 30 June 2008 would be limited to the amounts approved by the General Assembly.

63. As at 31 July, unpaid assessed contributions to the Special Account for MONUC amounted to $683.7 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,797.6 million.

64. As at 31 August, the amount owed to troop and formed-police contributors totalled $84.0 million. Reimbursement of troop and contingent-owned equipment costs have been made for the period up to 31 May.

XIV. Observations and recommendations

65. Since my last report, the Government has demonstrated a strong determination to exert its sovereign responsibilities throughout the country, engaged with its neighbours, worked closely with the international community to advance planning for recovery and economic development, taken the first steps towards security sector reform, initiated key legislation and made a firm commitment to decentralization and the early holding of local elections. The Parliament is also to be commended for the assiduous manner in which it has collectively shouldered its responsibilities. The emergence of assertive provincial governments, as provided for in the Constitution, is also a welcome development, as effective decentralization is an essential element to good governance, stability and growth in a country as vast as the Democratic Republic of the Congo.

66. Notwithstanding these positive developments, prospects for the future continue to be overshadowed by long-standing security challenges in the eastern Democratic Republic of the Congo. The rule of law and respect for human rights, in particular by security services, must also be strengthened. These challenges require MONUC to maintain a robust capacity in the eastern Democratic Republic of the Congo and a continued police, rule of law, human rights, political, and civil affairs presence throughout the country. I therefore recommend renewal of the Mission's mandate for a period of one year, and that it retain its current complement of military, police and civilian personnel at least until the end of the local elections. Gradual drawdown may then commence, subject to progress towards the broad benchmarks set out in the present report, including successful completion of the local elections, and, most importantly, towards ensuring the security of the population.

67. The crisis in the Kivus has many dimensions which call for a comprehensive solution, including an end to the fighting, the disarmament and demobilization or integration into the armed forces of militias and the re-establishment of State authority and rule of law. Steps are also urgently needed to resolve the problems

presented by all foreign armed groups on Congolese soil, particularly FDLR, which constitutes the most destabilizing element. A purely military solution to this issue is neither desirable nor viable. In order to address the problem of foreign armed groups, a common approach and close cooperation will be needed between the Democratic Republic of the Congo and other States in the region, supported by the international community. In this regard, I am encouraged by the recent bilateral meetings between senior representatives of the Governments concerned and their contacts through multilateral and regional mechanisms.

68. Conflict in the eastern Democratic Republic of the Congo cannot be separated from its regional aspects. I welcome the emergence during the reporting period of increasing dialogue among Great Lakes countries, both bilaterally and through mechanisms such as the Great Lakes Pact and the Tripartite Plus Joint Commission. Improvement of regional relations, particularly but not exclusively related to security, should be sustained by concrete follow-up action by all Governments as a public sign of their determination to work together in resolving cross-border issues.

69. There is increasing recognition that the intertwined problems created by the activities of Nkunda and his militia, FDLR and other foreign and Congolese armed groups must be addressed simultaneously through an approach that involves all major stakeholders, both within the Democratic Republic of the Congo and in the Great Lakes region. I therefore dispatched Haile Menkerios, Assistant Secretary-General for Political Affairs, on 1 November to undertake a special mission to the region to consult with the Government of the Democratic Republic of Congo and leaders in the region, as well as with the Government's bilateral and multilateral partners, to find ways to resolve the immediate crisis and to address its underlying causes. Mr. Menkerios is coordinating closely with my Special Representative for the Democratic Republic of the Congo and with international partners currently engaged in initiatives to help resolve the crisis.

70. The protection of civilians of all communities is central to the resolution of the crisis in the eastern Democratic Republic of the Congo. MONUC will continue to focus on its mandate for the protection of civilians and to work in close cooperation with the Government and the Congolese security forces to this end.

71. In order to enable the Congolese military, police and judiciary and correctional services to assume their full responsibilities as MONUC begins its drawdown, a strong security sector reform programme is needed. Such a programme should reflect a unity of vision among the relevant Congolese actors and between the Democratic Republic of the Congo and its international partners. Such a programme should lead to an early operational capacity for essential military tasks, as well as steady progress in reform of the police and judiciary. Progress in security sector reform is essential for the Mission's exit strategy, and will require the committed effort of national and international actors. I urge the Government and its international partners to seize the opportunity presented by the planned round table on security sector reform to develop a detailed and coherent blueprint without delay.

72. Fighting impunity within the security services will further increase their effectiveness by allowing them to win the confidence and support of the people. I therefore call upon the Government to take advantage of the assistance and advice of the international community, including MONUC, and to further intensify its efforts to hold accountable members of the security services who are found guilty of human rights violations and other crimes.

73. While credible pressure is essential in dealing with the remaining armed groups in the east, experience in Ituri has shown that a gap in time between demobilization and reintegration, often caused by financial constraints, risks compromising the entire effort with serious consequences for security. Sufficient and timely donor funding is critical for channelling demobilized combatants to community reintegration. In this connection, I hope that the Government of the Democratic Republic of the Congo and the Multi-Country Demobilization and Reintegration Programme will reach early agreement on terms for the resumption of activities under the Programme in the Democratic Republic of the Congo. Inadequate reintegration programmes and the discontent they engender have also been major causes of unrest throughout the country. I would therefore propose a comprehensive review of disarmament, demobilization, and reintegration programmes in the Democratic Republic of the Congo with a view to capitalizing on lessons learned and determining how to ensure that former combatants can benefit from reintegration programmes without delay.

74. Sustainable peace and security will also require safer and more harmonious communities. In that connection, more attention to longer-term reintegration, including increased benefits for receiving communities, is required. Community disarmament programmes, which are about to be initiated by UNDP, must also be well supported in order to reduce the number of weapons in the hands of the population.

75. The decision of the Government to conduct local elections in 2008 represents a major step towards consolidating the considerable progress already achieved in the establishment of democracy. Encouraging progress has been made towards the adoption of laws on the status of the opposition and the financing of political parties. I urge political leaders at all levels to respect the principles of transparency, inclusiveness and tolerance of dissent so as to create space for reform and build the credibility of the country's legitimate institutions. As requested by the Government, I recommend that the Council authorize MONUC to provide full support to the local elections on the same scale as for the national elections in 2006, subject to progress by the Government and relevant national institutions in putting in place the legal, institutional and financial frameworks needed to conduct credible polls.

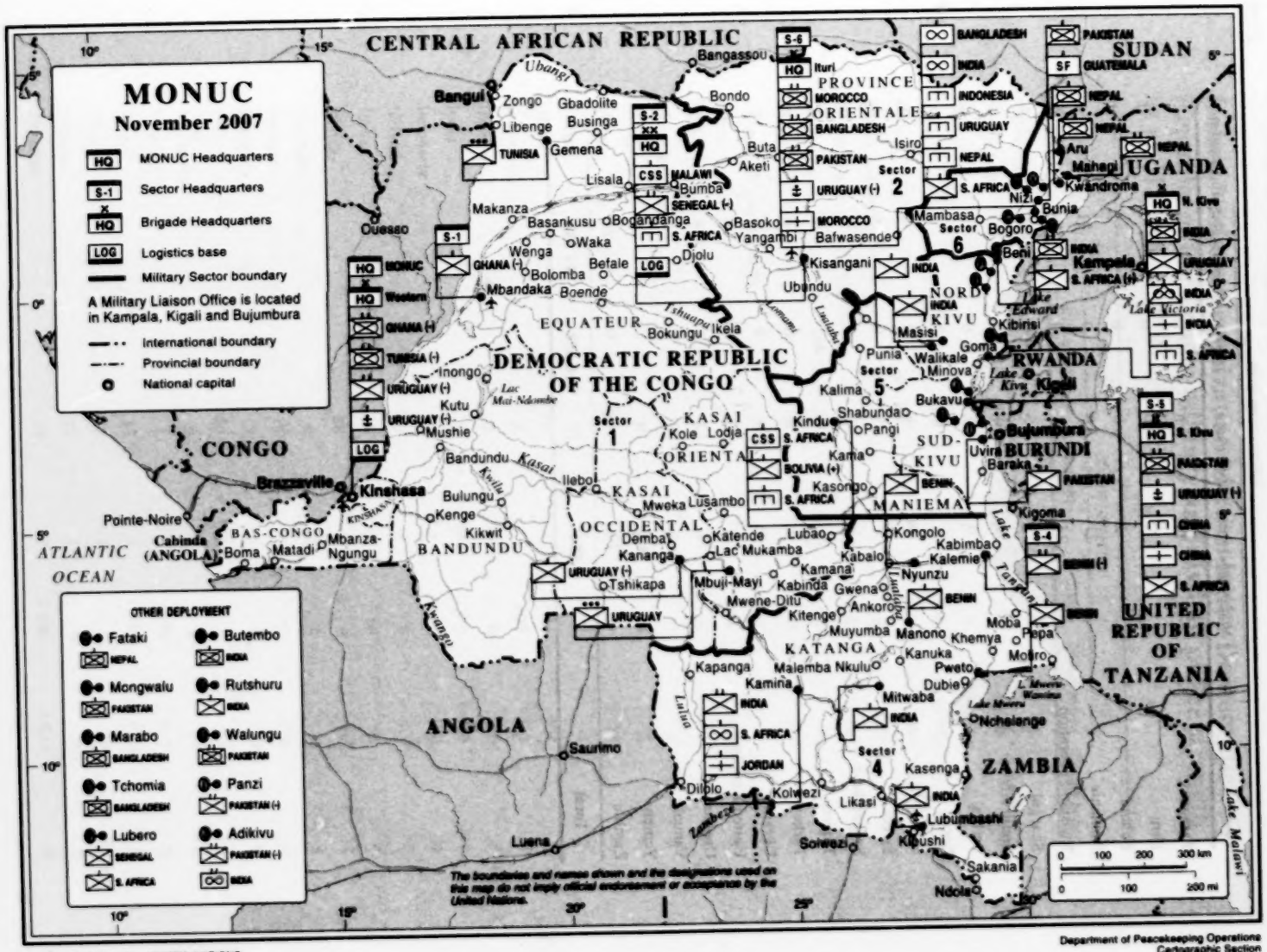
76. I would like to thank my Special Representative, William Lacy Swing, and the women and men of MONUC and the United Nations country team for their determination and dedication, particularly over the past difficult months. Their service, often under difficult conditions, has provided invaluable support for the efforts of the people of the Democratic Republic of the Congo as they seek to realize their aspirations for peace, security and respect for human rights. My appreciation also goes to the countries contributing police and troops to MONUC, as well as to donor countries and the multilateral and non-governmental organizations that continue to provide the support needed to sustain progress in the Democratic Republic of the Congo.

Annex

United Nations Organization Mission in the Democratic Republic of the Congo: military and civilian police strength as at 31 October 2007

	Military component				
Country	*Military observers*	*Staff officers*	*Troops*	*Total deployed*	*Civilian police*
Argentina	0	0	0	0	3
Bangladesh	16	9	1 333	1 358	250
Belgium	0	8	0	8	0
Benin	10	2	750	762	10
Bolivia	8	2	200	210	0
Bosnia and Herzegovina	5	0	0	5	0
Burkina Faso	10	0	0	10	22
Cameroon	5	0	0	5	47
Canada	0	10	0	10	0
Central African Republic	0	0	0	0	7
China	13	3	218	234	0
Côte d'Ivoire	0	0	0	0	24
Czech Republic	3	0	0	3	0
Denmark	1	1	0	2	0
Egypt	22	0	0	22	5
France	0	6	0	6	9
Ghana	20	3	462	485	0
Guatemala	5	1	105	111	0
Guinea	0	0	0	0	9
India	39	14	4 380	4 433	247
Indonesia	13	2	175	190	0
Ireland	0	3	0	3	0
Jordan	20	5	66	91	4
Kenya	28	8	0	36	4
Madagascar	0	0	0	0	5
Malawi	24	0	111	135	0
Malaysia	7	10	0	17	0
Mali	20	2	0	22	22
Mongolia	2	0	0	2	0
Morocco	1	3	809	813	0
Nepal	17	3	1 030	1 050	0
Niger	18	1	0	19	62
Nigeria	25	1	0	26	0
Pakistan	38	17	3 580	3 635	0

Country	Military component				Civilian police
	Military observers	Staff officers	Troops	Total deployed	
Paraguay	14	0	0	14	0
Peru	7	0	0	7	0
Poland	2	0	0	2	0
Romania	21	0	0	21	1
Russian Federation	24	4	0	28	2
Senegal	11	15	460	486	266
South Africa	1	14	1 187	1 202	0
Serbia	0	0	6	6	0
Spain	3	0	0	3	0
Sri Lanka	4	0	0	4	0
Sweden	5	0	0	5	4
Switzerland	2	0	0	3	0
Tunisia	26	4	462	492	0
Turkey	0	0	0	0	1
Ukraine	6	0	0	6	5
United Kingdom	0	6	0	6	0
Uruguay	33	12	1 324	1 369	0
Vanuatu	0	0	0	0	2
Yemen	5	0	0	5	2
Zambia	20	4	0	24	0
Total	**554**	**173**	**16 658**	**17 386**	**1 013**


MONUC
November 2007
HQ MONUC Headquarters
S-1 Sector Headquarters
HQ Brigade Headquarters
LOG Logistics base
Military Sector boundary
A Military Liaison Office is located in Kampala, Kigali and Bujumbura
International boundary
Provincial boundary
National capital
OTHER DEPLOYMENT
Fataki NEPAL
Butembo INDIA
Mongwalu PAKISTAN
Rutshuru INDIA
Marabo BANGLADESH
Walungu PAKISTAN
Tchomia BANGLADESH
Panzi PAKISTAN (-)
Lubero SENEGAL
Adikivu PAKISTAN (-)
S. AFRICA
INDIA
CENTRAL AFRICAN REPUBLIC
SUDAN
UGANDA
DEMOCRATIC REPUBLIC OF THE CONGO
CONGO
RWANDA
BURUNDI
UNITED REPUBLIC OF TANZANIA
ANGOLA
ZAMBIA
ATLANTIC OCEAN
Bangui
Ouesso
Brazzaville
Kinshasa
Pointe-Noire
Cabinda (ANGOLA)
Bangassou
Bondo
Gemena
Buta
Aketi
Isiro
Bumba
Lisala
Makanza
Basankusu
Waka
Wenga
Befale
Bolomba
Mbandaka
Boende
Djolu
Basoko
Yangambi
Bafwasende
Kisangani
Ubundu
Bokungu
Ikela
Inongo
Kutu
Mushie
Bandundu
Ilebo
Bulungu
Kenge
Kikwit
Mwene-Ditu
Kananga
Tshikapa
Demba
Katende
Lac Mukamba
Lubao
Kongolo
Kabimba
Kalemie
Kabalo
Kamana
Nyunzu
Kabinda
Gwena
Ankoro
Kitenge
Muyumba
Manono
Khemya
Pepa
Moba
Kanuka
Pweto
Mitwaba
Malemba Nkulu
Kapanga
Kamina
Saurimo
Dilolo
Kolwezi
Likasi
Lubumbashi
Kipushi
Sakania
Ndola
Luena
Solwezi
Nchelenge
Mambasa
Bogoro
Bunia
Aru
Mahagi
Kwandroma
Nizi
Beni
Kampala
Masisi
Goma
Walikale
Minova
Punia
Kalima
Shabunda
Kindu
Pangi
Kama
Kasongo
Uvira
Baraka
Bukavu
Kibirisi
Kigali
Kigoma
Lake Edward
Lake Kivu
Lake Victoria
Lake Malawi
Lake Mweru
Lake Tanganyika
Ubangi
Kasai
Kwilu
Kwango
Lualaba
Lomami
Tshuapa
Luvua
Zambezi
Kafue
Luapula
Mweru-Wantipa
Sector 1
Sector 2
Sector 3
Sector 4
Sector 5
Sector 6
PROVINCE ORIENTALE
NORD KIVU
SUD-KIVU
MANIEMA
KASAI ORIENTAL
KASAI OCCIDENTAL
EQUATEUR
KATANGA
BAS-CONGO
BANDUNDU
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
0 100 200 300 km
0 100 200 mi
Map No. 4121 Rev. 34 UNITED NATIONS
November 2007
Department of Peacekeeping Operations
Cartographic Section